

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Heyward Jackson, Jr.,

Case No.: 2:25-cv-0790-JAD-DJA

Plaintiff

V.

United States Department of Health and Human Services, Centers for Medicare & Medicaid Services,

Order Granting Unopposed Motion to Dismiss and Closing Case

Defendants

[ECF No. 6]

Plaintiff Heyward Jackson, Jr. sues the United States Department of Health and Human
es and the Centers for Medicare & Medicaid Services for refusing to turn over documents
the Freedom of Information Act (FOIA), 5 U.S.C. § 552.¹ The defendants move to
s, arguing that Jackson lacks standing to bring this FOIA claim because he wasn't the one
g the FOIA request.² The deadline to respond to that motion to dismiss was July 2, 2025,
passed without any response, leaving the motion to dismiss unopposed. This court's Loca
-2(d) provides that “[t]he failure of an opposing party to file points and authorities in
use to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees
utes a consent to the granting of the motion.” I apply this rule and deem the plaintiff's
to respond to the motion to dismiss as consent to granting the motion. IT IS
EFORE ORDERED that the defendants' motion to dismiss [ECF No. 6] is GRANTED.

23 | ¹ ECF No. 1.

2 ECF No. 6.

1 **THIS CASE IS DISMISSED, and the Clerk of Court is directed to CLOSE THIS**
2 **CASE.**

U.S. District Judge Jennifer A. Dorsey
July 7, 2025